

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

**[2] DERECK MUÑOZ-NIEVES, a/k/a
“MACACO”,**
Defendant.

CRIMINAL NO. 18-23-2 (PAD)

JOINT INFORMATIVE MOTION REGARDING WITNESSES

In February, the Court issued the following order:

the parties shall file a joint informative motion indicating: (1) estimated length of trial, aggregating the time to be used by the court interpreters and in connection with cross-examination; (2) how many witnesses each party intends to call to testify at trial, (3) if any witnesses are in custody and the name of the institution, (4) whether any of those witnesses are out of the jurisdiction, and if so, whether they intend to appear in person or via VTC, and (5) the estimated duration of their testimonies.

(Dkt. No. 464)

Pursuant to the Court’s order, the parties provide the following information:

(1) *Estimated length of trial*

1.5 months (assuming 4.5 days a week)

(2) *Number of witnesses each party intends to call to testify at trial*

Government: Approximately 52 witnesses

Defendant: No anticipated witnesses

(3) *Estimated duration of testimonies¹ (unless otherwise indicated, all witnesses will testify in Spanish and are located in Puerto Rico)*

Government witnesses (time estimates are for direct examination only)

General Testimony on Defendant's Confessions

FBI task force agent	3 hours
Police agent no. 1	3 hours
Police agent no. 2	3 hours

Carjacking of 2010 Mitsubishi Outlander & Brandishing of firearm

(1.12.18) (Counts 1 & 2)

Victim no. 1	1 hour
Victim no. 2	1 hour
Police agent who responded to scene	1.5 hours

1 The United States reserves the right to call additional witnesses or not to call witnesses on this list.

Carjacking of 2005 Infinity & Brandishing of Firearm (1.13.18) (Counts 3 & 4)

Victim no. 1	1 hour
Victim no. 2	1 hour
Police agent who responded to scene	1.5 hours
Custodian of video	20 minutes

Carjacking of motorcycle & Use of firearm causing murder (1.13.18) (Counts 5 & 6)

Witness no. 1	1 hour
Video custodian	20 minutes
Agent for chain of custody of video	20 minutes
Police agent no. 1	1.5 hours
Police agent no. 2	1.5 hours
Homicide detective	2 hours
Forensic science agent no. 1	1.5 hours
Forensic science agent no. 2	30 minutes
Pathologist	1.5 hours
Ballistic analyst	1 hour
Interstate nexus witness	30 minutes

Robbery of Triplets Mixtas Ruiz & Use of firearm causing murder (1.14.18) (Counts 7 & 8)

Witness no. 1	1.5 hours
Witness no. 2	1.5 hours
Video custodian	20 minutes
Agent for chain of custody of video	20 minutes
Police agent	1.5 hours
Forensic science agent	1.5 hours
Pathologist	1.5 hours
Ballistic analyst	1 hour
Interstate nexus witness	30 minutes

Carjacking of gray Toyota Tacoma & Use of firearm causing murder (1.14.18) (Counts 9 & 10)

Agent who oversaw murder scene	1.5 hours
Investigative agent	1.5 hours
Homicide detective	2 hours
Forensic science agent no. 1	1.5 hours
Forensic science agent no. 2	30 minutes
Pathologist	1.5 hours

Ballistic analyst	1 hour
Interstate nexus witness	30 minutes

Robbery of El Invader (“Fritanga”) business & Use of firearm causing murder (1.11.18)
(Counts 13 & 14)

Police agent no. 1	1.5 hours
Police agent no. 2	1.5 hours
Homicide detective	2 hours
Forensic science agent no. 1	1.5 hours
Forensic science agent no. 2	30 minutes
Pathologist	1.5 hours
Ballistic analyst	1 hour
Interstate nexus witness	30 minutes

Carjacking of Mitsubishi Lancer & Brandishing of firearm (11.24.17) (Counts 15 & 16)

Victim no. 1	1 hour
Victim no. 2	1 hour
Police agent no. 1	1 hour
Police agent no. 2	1 hour

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 18th day of March, 2021.

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of March, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants.

s/ Jonathan Gottfried
Assistant United States Attorney